

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

GLACIER SALES & ENGINEERING, LLC,
a Florida corporation,

Plaintiff,

Case No. 07-13806

v.

HONORABLE DENISE PAGE HOOD

EAGLE PLASTICS CORPORATION
a Michigan corporation,

Defendant.

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ORDER

This matter is before the Court on Plaintiff's Motion for Preliminary Injunction (Dkt. #2, filed on September 10, 2007) and Plaintiff's Emergency Verified Motion for Possession Pending Final Judgment (Dkt. #3, filed on September 10, 2007). Defendant did not respond to the motions. A hearing on the motions was held on September 25, 2007. A status conference on the motions was held on November 14, 2007.

These motions having come on for hearing before the Court and after arguments of counsel; now therefore,

IT IS ORDERED that Plaintiff's Motion for Preliminary Injunction (Dkt. #2, filed on September 10, 2007) is **GRANTED** as specified in this Order. The Temporary Restraining Order, previously entered by the Court on September 11, 2007, shall be converted into a Preliminary Injunction, until further order of the Court.

Specifically, Defendant is enjoined and refrained from damaging, destroying, concealing,

disposing of, or using the Machinery, Molds, Machine Equipment and Inventory to which Plaintiff refers on pages 7 through 10 of Plaintiff's Motion for Preliminary Injunction.

Defendant shall insure that all of its agents, employees and representatives are made aware of such Preliminary Injunction and abide by the same.

IT IS FURTHER ORDERED that Plaintiff's Emergency Verified Motion for Possession Pending Final Judgment (Dkt. #3, filed on September 10, 2007) is **GRANTED IN PART** and **DENIED IN PART**.

Plaintiff is granted immediate possession of the Machinery and Machine Equipment listed on pages 7 and 8 of Plaintiff's Motion for Preliminary Injunction.

Plaintiff shall inform the Court at the December 17, 2007 Status Conference when it will remove the Machinery and Machine Equipment from Defendant's facility. Plaintiff may have the Machinery inspected before its removal by Dan Roberts and/or other authorized representatives. Defendant shall fully cooperate with the inspection and removal of such items.

All workers hired by Plaintiff for the removal and inspection of the Machinery and Machine Equipment will have or be covered by liability insurance and workers' compensation insurance, except those individuals who are business owners and have waived workers' compensation insurance for themselves pursuant to applicable state law.

Defendant shall immediately return all Molds listed on page 10 of Plaintiff's Motion for Preliminary Injunction, upon written request from the Molds' owners, to the Molds' respective owners.

The Court will rule on the possession of the Inventory listed on page 9 of Plaintiff's

Motion for Preliminary Injunction at a later date.

s/ DENISE PAGE HOOD
DENISE PAGE HOOD
United States District Judge

DATED: November 15, 2007

I hereby certify that a copy of the foregoing document was served upon counsel of record on November 15, 2007, by electronic and/or ordinary mail.

S/William F. Lewis
Case Manager